

I Drawings

1. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the
 - 1.1. "means for locking" of claims 1
 - 1.2. "upwardly bent ends" of claim 2must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.
2. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

II Objections

1. With respect to claim(s) 1, "during lateral displacement of at least one end" should read - - during lateral displacement of said at least one end - - since the at least one end is previously set forth.
2. The use of the trademark "TEFLON" has been noted in this application. It should be capitalized wherever it appears and be accompanied by the generic terminology. Although the use of trademarks is permissible in patent applications, the proprietary nature of the marks should be respected and every effort made to prevent their use in any manner which might adversely affect their validity as trademarks.
3. "@" in claim 6 should apparently read - - ® - -

III Claim Rejections - 35 USC § 112

The following is a quotation from the relevant paragraphs of 35 U.S.C. 112:

(1) The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

(2) The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

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1. Claims 1-14 rejected under 35 U.S.C. 112, first paragraph,
 - 1.1. With respect to claim(s) 1, the specification, does not reasonably provide enablement for how the "means for raising the load carrying unit are provided for inactivating the locking means." The specification does not enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make or use the invention commensurate in scope with these claims.
 - 1.2. With respect to claim(s) 12, the specification, does not reasonably provide enablement for how the "the ends of the load carrying unit is [sic] moved laterally, thereby inactivating the locking means." It is unclear how the locking means is inactivated by the lateral movement of the ends of the load carrying unit. The specification does not enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make or use the invention commensurate in scope with these claims.
2. Claims 1-14 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
 - 1.1. With respect to claim(s) 1, 8, 12 it is unclear what is meant by the "/" between "loading" and "unloading" (e.g., and, or, and/or).
 - 1.2. With respect to claim(s) 1, the phrase "the means for raising the load carrying unit" lacks antecedent basis.
 - 1.3. With respect to claim(s) 6, the phrase "for example" renders the claim indefinite because it is unclear whether the limitation(s) following the phrase are part of the claimed invention. See MPEP § 2173.05(d).
 - 1.4. With respect to claim(s) 12, the phrase "wherein the ends of the load-carrying unit (5) is [sic] moved laterally, thereby inactivating the locking means, by means of at least one slide foot that slides over an corresponding slide belt during lateral displacement of at least one end of the load-carrying unit" is ambiguous because it is unclear if "inactivating the locking means" occurs "by means of at least one slide foot..." or if "the ends load carrying unit is [sic] moved latterly" occurs "by means of at least one slide foot..."
 - 1.5. With respect to claim(s) 12, features of the wagon are recited, however, it is unclear whether providing the wagon is a necessary step in performing the method for facilitating loading/unloading of the wagon, or if the scope of the claim encompasses merely the steps recited intended to be performed on the described wagon.

IV Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

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(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claim(s) 1-2, 8, and 10-14 is/are rejected under 35 U.S.C. 102(b) as being anticipated by SMITH (US 2,246,543 A).

1.1. With respect to claim(s) 1-2, 8, and 10-14 SMITH discloses a device for facilitating loading/unloading of goods from a goods wagon (Fig. 1-4 emb.) comprising least one load-carrying unit (39), and two wagon portions (17) means for locking (32/33/35) together the load-carrying unit and the wagon portions (pg 3 Col. 1 Li. 12-17), wagon portions are provided with means for transport on rail (wheels at 17), load-carrying unit (39) being separable from the wagon portions (17) on at least one end (LHS Fig. 2) the ends moved laterally (Fig 2) thereby inactivating the locking means (static friction of the gear arrangement) to impose a pivotal motion around a central pivot axis (at 21), and a lateral movement (e.g., of one end) with respect to a line connecting the wagon portions (17) to facilitate loading/unloading of the load-carrying unit (39), the load-carrying unit (39) is provided with one slide foot (47/48) at each end of the load carrying unit (39) that slides over a slide belt (26/27/28) during lateral displacement of at least one end (LHS Fig. 2) of the load-carrying unit (39), where a means for raising the load-carrying unit (37) are capable of inactivating the locking means (e.g., by raising the tracks to a position where the force of gravity overcomes the locking force (pg. 4 Col. 1 Li. 19-26)), the slide foot (47) is provided with upwardly bent ends (cylindrical rollers have upwardly bent ends),.hinged ramps (24).

V Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claim(s) 3-7 is/are rejected under 35 U.S.C. 103(a) as being unpatentable over SMITH.

1.1. With respect to claim(s) 3, the axis of pivot (@30) of belt members (28/29) is oriented vertically. Therefore the belt members are housed essentially underneath the load carrying unit (39). The necessity of providing a compartment in the load carrying unit (39) arises from the chosen orientation of the pivot means (30) and the width of the load carrying unit (39). Orienting the pivot means (30) such that the belt members pivot about a substantially horizontal axis, and would therefore require storage within a compartment in a load carrying unit having a width extending laterally past that pivot axis is the product of choosing from a finite number of identified predictable solutions with a

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reasonable expectation of success and therefore would have been obvious to one having ordinary skill in the art.

1.2. With respect to claim(s) 4-7, use of low friction materials such as plastics, PTFE or composites constitutes applying a known technique to a known device ready for improvement to yield the predictable result of reducing friction and extending bearing life and therefore would have been obvious to one having ordinary skill in the art.

2. Claim(s) 9 is/are rejected under 35 U.S.C. 103(a) as being unpatentable over SMITH in view of KRUEGER (US 3,232,242 A).

2.1. With respect to claim(s) 9, SMITH does not discuss the connection between the load carrying unit (39) and slide foot (47). It is known in the art to provide a means connecting a load carrying with a foot that is capable of raising and lowering the load carrying unit, as demonstrated, for example by KRUEGER which teaches a load carrying unit (F/M/R) raised and lowered (through 48/49/32) by means (40-43B) connecting the load carrying unit (F/M/R) with a slide foot (40-43). Providing a means connecting a load carrying with a foot that is capable of raising and lowering the load carrying unit constitutes applying a known technique to improve a similar device in the same way in order to achieve the predictable result of enabling the ability to selectively allow or disallow movement of the load carrying unit's feet upon a slide belt (32) and therefore would have been obvious to one having ordinary skill in the art.

VI Conclusion

1. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.
2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charles N. Greenhut whose telephone number is (571) 272-1517. The examiner can normally be reached on 6:30am - 3:00pm EST.
3. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saul Rodriguez can be reached at (571) 272-7097. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.
4. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

CG

/C. N. G./

Examiner, Art Unit 3652

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